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In re Application of
Kylam D. Doan et al
Application No. 10/055,818
Filed: October 25, 2001
Attorney Docket No. 11564.0028. NPC02
(LBRE.08)

OFFICE OF PETITIONS

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

The Change of Correspondence Address filed March 5, 2004 is noted and made of record.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being referred to the Publishing Division.

Wan Laymon
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Petitions Examiner
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Office of the Deputy Commissioner
for Patent Examination Policy